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JUL 22 2004

In re Application of
Thomas L. Buckley
Application No. 10/690,248
Filed: October 21, 2003
Attorney Docket No. 790105-10031

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: DECISION ON PETITION
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This is a decision on the petition to make special filed on January 28, 2004. The \$130.00 petition fee has been received.

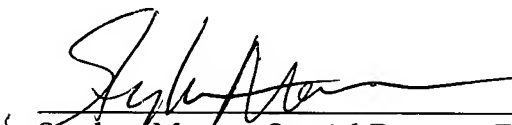
The petition is granted.

The petition to make special is based upon the existence of an actual infringement. A review of the petition shows that all of the requirements established in MPEP § 708.02(II) for a petition on that grounds have been satisfied. Therefore, petitioner is entitled to have this application handled special in accordance with MPEP § 708.02, subsection styled "Handling of Petitions to Make Special".

Accordingly, the examiner will treat this application as special throughout its prosecution. Prior to the first action on the merits, the examiner will conduct a rigorous search for potentially interfering applications. The interference search will be brought up to date prior to each successive action.

The Supervisory Patent Examiner of Patent Examining Art Unit 3725 is being advised of the granting of the instant petition, and will in turn advise the examiner to whom the application is assigned of the special status of this application and the need for action consistent with this Decision.

PETITION GRANTED.



Stephen Marcus, Special Program Examiner,
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